

### **REMARKS**

Claims 1-8, 10, 11, 13, 20-25, 27, 28, and 32-35 are present in this application. Claims 20-23 have been withdrawn. Claims 1 and 24 are independent claims.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

### **Allowable Subject Matter**

The Examiner is thanked for indicating that claims 5-8, 11, 13, 27, and 34 contain allowable subject matter.

### **§ 103(a) Rejection – Pasco, Lu**

Claims 1-4, 10, 24, 28, 32, 33, and 35 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,083,240 (Pasco) in view of U.S. Application Publication 2003/0117794 (Lu). Applicants respectfully traverse this rejection.

### **The Feature that “at least one light source is detachable from the region that contains phosphor” is a Structural Feature that Requires Patentable Weight**

Claim 1 had been amended to recite a feature of “wherein said at least one light source is detachable from the region that contains phosphor.” Claim 24 had been amended in a similar manner, but for a “backlight.”

In the present invention, by having a light source that is detachable from a region that contains phosphor, the electronic equipment can be configured with one light source and a plurality of regions that contain phosphor. Alternatively, by having a light source that is detachable from a region that contains phosphor, e.g. in a keypad, the keypad is interchangeable and can be replaced with a keypad of an alternative color. Furthermore, the configuration enables a different phosphor for each keypad.

With regard to this added feature, the Examiner alleges that “the at least one light source is detachable from the region that contains phosphor” is an intended use of a device. The Examiner further states that the intended use of a product, which does not add any new feature or new structure to the device, is held unpatentable. (Office Action at page 3).

Applicants submit that the ability to detach a light source from the region that contains phosphor is a structural feature of the claimed electronic equipment. Applicants submit that, for example, a light emitting device having a phosphor composition would not be detachable. Furthermore, a structure of color-shift medium formed on the backlight by a wet coating process or a dry deposition process of Lu are processes that do not intend detachment.

Applicants submit that Lu does not teach or suggest a light source that is detachable from a region containing phosphor.

**In the Case of Intended Use, the Resulting Structural Difference must be Evaluated**

In addition, Applicants submit that it is improper to ignore the claimed “detachable” feature. Applicants submit that even if it could be said that a feature that a light source be detachable from a region containing phosphor is an intended use, which Applicants do not agree, the resulting structural difference must be evaluated.

According to case law discussed in the M.P.E.P. 2111.02, “the purpose or intended use of the claimed invention must be evaluated to determine whether the recited purpose or intended use results in a structural difference... between the claimed invention and the prior art. If so, the recitation serves to limit the claim.”

Applicants submit that the feature of “wherein said at least one light source is detachable from the region that contains phosphor” is a feature that is not taught or suggested by Pasco or Lu, either alone or in combination.

**One of Ordinary Skill would not be Motivated to combine teachings of Pasco and Lu in a Manner of the Claimed Invention**

Applicants submit that one of ordinary skill in the art would not be motivated to combine teachings of Pasco and Lu. This is because the modification of Pasco with the teachings of Lu would substantially change the principle of operation of Pasco. An advantage of Pasco is a reduced number of light sources supplemented with an associated light guide. Lu, on the other hand, provides a light source that produces a uniform light, preferably for an LCD, without the need for a light guide. Lu specifically teaches generation of a light having uniform illumination without an additional light guide. Thus, the combination of Pasco and Lu would likely result in replacement of the light guide and light source of Pasco, with the flat light source that has a color-shift medium formed directly on a flat backlight of Lu. (See *In re Ratti*, 270 F.2d 810, 813, 123 USPQ 349, 352 (CCPA 1959)).

Furthermore, Applicants submit that at least there is no teaching or suggestion of locating a fluorescent layer within the light guide structure of Pasco (i.e., as a separate layer that can be removed from the light source). In particular, there is no teaching or suggestion of, for example, locating the color-shift medium of Lu on the lens, or in the path of the light beam of Pasco. In fact, the Soules reference mentioned in Lu specifically teaches forming a phosphor layer between the lens and the light source.

Lu teaches that the structure of the color-shift medium is preferably formed on a flat backlight, either by a wet coating process or by a dry deposition process, in order to generate a light of high brightness and provides uniform illumination. Pasco's invention requires a collimated light source produced using a lens 7 (20) located above a focused light source that travels along a path in the light guide medium as a light beam. Thus, it can be seen that Lu does not teach, for example, a color-shift medium that would provide uniform lighting using only light from a sparse set of non-flat light sources as in Pasco.

For at least these reasons, Applicants submit that the rejection fails to establish *prima facie* obviousness for claims 1 and 24, as well as respective dependent claims.

Applicants request that the rejection be reconsidered and withdrawn.

**§ 103 Rejection – Pasco, Lu, Sze**

Claim 25 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Pasco, Lu, and Sze (“Physics of Semiconductor Devices”). Applicants respectfully traverse this rejection.

The reference to Sze is relied on teach the wavelength of light in the range UV to blue light. Applicants submit that Sze fails to make up for the above stated deficiencies. Accordingly, at least for the reasons above for claim 24, claim 25 is patentable as well. Applicants request that the rejection be reconsidered and withdrawn.

**Conclusion**

In view of the above remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact **Robert Downs** Reg. No. 48,222 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By Robert Downs #48,222

Terrell C. Birch

Registration No.: 19,382

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant